

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STEPHANIE OVERTON,

*Plaintiff,*

-against-

ART FINANCE PARTNERS LLC, AF FUNDING  
LLC, KNICKERBOCKER FUNDING LLC, ART  
INVESTMENT FUND LLC, CERULEAN ART LLC,  
and ANDREW ROSE,

*Defendants.*

CASE NO. 15-CV-3927 (SAS)

**ECF CASE**

**DECLARATION  
OF JOHN R. CAHILL**

JOHN R. CAHILL declares under penalty of perjury:

1. I am a member of Cahill Partners LLP, attorneys for plaintiff Stephanie Overton (“Overton” or “Plaintiff”). I make this declaration in opposition to defendants’ motion for partial summary judgment.
2. Attached to this Declaration as **Exhibit 1** (stamped Exhibit 1:1-11) is a true and accurate copy of the “Net Loan Proceeds Schedules” for the artworks that Sammons purportedly used as collateral for loans from the Rose Defendants.
3. Attached to this Declaration as **Exhibit 2** (stamped Exhibit 2:1-15) is a true and accurate copy of documents evidencing the Rose Defendants’ involvement with the Picasso Work.
4. Attached to this Declaration as **Exhibit 3** (stamped Exhibit 3:1-4) is a true and accurate copy of the excerpts from the deposition transcript of Andrew Rose.
5. Attached to this Declaration as **Exhibit 4** (stamped Exhibit 4:1-3) is a true and accurate copy of documents evidencing the Rose Defendants’ efforts to sell other artworks that had been provided to them by Sammons.

6. Attached to this Declaration as **Exhibit 5** (stamped Exhibit 5:1-12) are true and accurate copies of the “Sale and Repurchase Agreements” and documents concerning the payment of “extensions” for those agreements.

7. Attached to this Declaration as **Exhibit 6** (stamped Exhibit 6:1-5) are true and accurate copies of valuations placed on certain artworks by Sammons and the Rose Defendants.

8. Attached to this Declaration as **Exhibit 7** (stamped Exhibit 7:1-15) are true and accurate copies of a series of responsive documents that were not produced by the Rose Defendants in response to Plaintiff’s Document Requests and which were deleted at an indeterminate date by Andrew Rose.

9. Attached to this Declaration as **Exhibit 8** (stamped Exhibit 8:1) is a true and accurate copy of an article published by the ART MARKET MONITOR on 2015-April 17, titled “Owner Sues Timothy Sammons Over Proceeds of Van Gogh Sale.”

10. Attached to this Declaration as **Exhibit 9** (stamped Exhibit 9:1) is a true and accurate copy of a letter from John R. Cahill to Andrew Rose dated 2015-May-08.

11. Attached to this Declaration as **Exhibit 10** (stamped Exhibit 10:1-15) is a true and accurate copy of excerpts from *Accidia Foundation v. Simon C Dickinson Ltd.*, [2010] EWHC 3058 (Ch) (Eng.).

Dated: New York, New York  
December 4, 2015



John R. Cahill